(19) World Intellectual Property Organization International Bureau



(43) International Publication Date 21 February 2002 (21.02.2002)

PCT

(10) International Publication Number WO 02/014356 A3

(51) International Patent Classification⁷: A61K 38/18, A61P 25/00, 9/00

(21) International Application Number: PCT/EP01/09209

(22) International Filing Date: 9 August 2001 (09.08.2001)

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

09/637,962

11 August 2000 (11.08.2000) U.

(71) Applicant (for all designated States except US): ELANEX PHARMA (IOM) LTD. [US/US]; Companies House, Tower Street, Ramsey, Isle of Man (US).

(72) Inventor; and

(75) Inventor/Applicant (for US only): THOMPSON, Lawrence, H. [US/US]; 177 No. USA HWA ONE, Suite 305, US-Tequesta, F1. 33469 (US).

(74) Agent: SHNEIDERS & BEHRENDT; Huestraße 23, 44787 Bochum (DE).

(81) Designated States (national): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU,

CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.

(84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Published:

- with international search report
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments
- (88) Date of publication of the international search report: 30 January 2003

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: THERAPEUTIC USE OF A RECOMBINANT ERYTHROPOIETIN HAVING HIGH ACTIVITY AND REDUCED SIDE EFFECTS

(57) Abstract: The invention discloses several novel therapeutic properties and methods of treatment using the recombinant erythropoietin prepared by expression from the Apa I restriction fragment of human genomic erythropoietin DNA transformed into baby hamster kidney cells (BHK) according to U.S. Patent No. 5,688,697 to Powell. This recombinant erythropoietin designated herein as Epoetin Omega is shown to possesses several unexpected and superior qualities over other recombinant erythropoietins such as those designated Epoetin Alfa and Beta which are prepared from genomic or cDNA expressed in Chinese Hamster Ovary (CHO) according to U.S. Patent Nos. 4,703,008 and 5,955,422 to Lin. The superior properties of Epoetin Omega include, but are not limited to, a much higher potency, a much more rapid response (i.e. no latency), longer effective serum levels, much lower antigenicity in human subjects, therapeutic activity in subjects non-responsive to the other epoetins, fewer adverse side effects such as incidents of thrombosis, reduced nausea, reduced pain at the site of injection, reduction in body pain, and most significantly, the absence of, or reduced risk of, increased blood pressure or hypertension. These novel properties provide for novel therapeutic methods including, treatment of anemia and treatment of conditions other than anemia such as fatigue or vascular pain, treatment in patients adversely effected by hypertension such as patients with heart conditions or at increased risk of thrombosis, treatment in oncology settings with and without chemotherapy or radiation therapy, and treatment with novel dosing regiments that include much lower doses and lower administration frequencies of as few as once per week or less.



INTERNATIONAL SEARCH REPORT

Int onal Application No PCT/EP 01/09209

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 A61K38/18 A61P25/00 A61P9/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols) $IPC\ 7\ A61K\ C07K$

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

BIOSIS, EPO-Internal, WPI Data, PAJ, MEDLINE

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	H. LUDWIG: "Epoetin in cancer-related anaemia" NEPHROLOGY DIALYSIS TRANSPLANTATION, vol. 14, no. suppl 2, February 1999 (1999-02), pages 85-92, XP002219608 the whole document -/	1,4, 11-15,47

X Further documents are listed in the continuation of box C.	X Patent family members are listed in annex.		
*Special categories of cited documents: *A' document defining the general state of the art which is not considered to be of particular relevance *E*—earlier document but published on or after the international filling date *L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) *O' document reterring to an oral disclosure, use, exhibition or other means *P' document published prior to the international filling date but later than the priority date claimed	 'T' later document published after the International filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention 'X' document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone 'Y' document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. '&' document member of the same patent family 		
Date of the actual completion of the international search	Date of mailing of the international search report		
6 November 2002	19/11/2002		
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tet. (+31-70) 340-2040, Tx. 31 651 epo nl. Fax: (+31-70) 340-3016	Authorized officer Ryckebosch, A		

INTERNATIONAL SEARCH REPORT

Int ional Application No PCT/EP 01/09209

Cration of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.				
DATABASE BIOSIS 'Online! BIOSCIENCES INFORMATION SERVICE, PHILADELPHIA, PA, US; 1990 CAN ERYTHROPOIETIN STUDYGROUP: "ASSOCIATION BETWEEN RECOMBINANT HUMAN ERYTHROPOIETIN AND QUALITY OF LIFE AND EXERCISE CAPACITY OF PATIENTS RECEIVING HEMODIALYSIS" Database accession no. PREV199089118498 XP002219609 abstract & BRITISH MEDICAL JOURNAL, vol. 300, no. 6724, 1990, pages 573-578,	1				
WO 00 24893 A (AMGEN INC) 4 May 2000 (2000-05-04)	1-47				
WO 88 00241 A (UNIV WASHINGTON) 14 January 1988 (1988-01-14) page 2, line 6 - line 14; claims	1-47				
S. MILUTINOVIC ET AL.: "Erythropoietin-induced hypertension in dialyzed uremics is influenced by glycosylation patterns of the molecule." NEPHROLOGY DIALYIS TRANSPLANTATION, vol. 16, no. 6, June 2001 (2001-06), page A91 XP008010133 abstract	29-36,47				
S. MILUTINOVIC ET AL.: "Differences in glycosylation structures have an important impact on potency and pharmacokinetics of erythropoietin (EPO) in dialyzed uremics." NEPHROLOGY DIALYSIS TRANSPLANTATION, vol. 15, no. 9, September 2000 (2000-09), page A156 XP008010132 abstract	29-36,47				
	BIOSCIENCES INFORMATION SERVICE, PHILADELPHIA, PA, US; 1990 CAN ERYTHROPOIETIN STUDYGROUP: "ASSOCIATION BETWEEN RECOMBINANT HUMAN ERYTHROPOIETIN AND QUALITY OF LIFE AND EXERCISE CAPACITY OF PATIENTS RECEIVING HEMODIALYSIS" Database accession no. PREV199089118498 XP002219609 abstract & BRITISH MEDICAL JOURNAL, vol. 300, no. 6724, 1990, pages 573-578, ISSN: 0959-8138 WO 00 24893 A (AMGEN INC) 4 May 2000 (2000-05-04) page 4, line 30 -page 7, line 10; claims WO 88 00241 A (UNIV WASHINGTON) 14 January 1988 (1988-01-14) page 2, line 6 - line 14; claims S. MILUTINOVIC ET AL.: "Erythropoietin-induced hypertension in dialyzed uremics is influenced by glycosylation patterns of the molecule." NEPHROLOGY DIALYIS TRANSPLANTATION, vol. 16, no. 6, June 2001 (2001-06), page A91 XP008010133 abstract S. MILUTINOVIC ET AL.: "Differences in glycosylation structures have an important impact on potency and pharmacokinetics of erythropoietin (EPO) in dialyzed uremics." NEPHROLOGY DIALYSIS TRANSPLANTATION, vol. 15, no. 9, September 2000 (2000-09), page A156 XP008010132				

INTERNATIONAL SEARCH REPORT

....ormation on patent family members

Int. inal Application No PCT/EP 01/09209

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
WO 0024893	A	04-05-2000	AU	1124100 A	15-05-2000
			CA	2345882 A1	04-05-2000
			CN	1346369 T	24-04-2002
			ΕP	1123313 A2	16-08-2001
			HU	0103920 A2	28-02-2002
			JP	2002528465 T	03-09-2002
			WO	0024893 A2	04-05-2000
WO 8800241	Α	14-01-1988	AT	76431 T	15-06-1992
			ΑU	611088 B2	06-06-1991
			ΑU	7475787 A	07-01-1988
			BR	8703269 A	15-03-1988
			CN	87104424 A ,B	27-04-1988
			DE	3779206 D1	25-06-1992
			DK	309387 A	28-12-1987
			EP	0255231 Al	03-02-1988
			ES	2037083 T3	16-06-1993
			FΙ	880899 A ,B,	26-02-1988
			GR	3004707 T3	28-04-1993
			JP	63126488 A	30-05-1988
			KR	9709935 B1	19-06-1997
			NO	880863 A	26-04-1988
			PT	85193 A ,B	01-07-1987
			US	2002137145 A1	26-09-2002
			WO	8800241 A1	14-01-1988
			US	5688679 A	18-11-1997
			US	2002045255 A1	18-04-2002